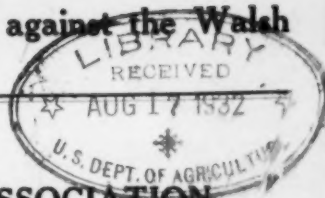


Secretary of the Interior Albert B. Fall Reports to Congress against the Walsh Bill. Details on Fourth Page.



ISSUED FOR THE INFORMATION OF MEMBERS



THE NATIONAL PARKS ASSOCIATION

1512 H STREET NORTHWEST

WASHINGTON, D. C.

BULLETIN 20

June 8, 1921

IGNORES GOVERNMENT'S PROOF OF ERROR

Walsh Bill Apparently Abandons One of Its Two Arguments, and Depends for the Other Upon Reassertions of Statements Disproved by the Interior Department

A CIRCULAR letter in support of the Walsh Bill (S. 274 and S. 275) for the damming of Yellowstone Lake in the Yellowstone National Park, which we may assume defines the lines chosen for the campaign in the Sixty-seventh Congress, was mailed to every member of Congress early in May. It carries the typewritten signature of Thomas P. Walsh.

We hear from members of this Association that certain members of Congress to whom they have written protests have mailed back to them copies of Senator Walsh's letter. We have also seen it reproduced in Montana newspapers.

The two most remarkable features about this circular letter are not apparent at first glance, because both are omissions. One is the omission of any mention of the profoundly important facts concerning this proposed dam which were submitted to Congress by the Interior Department. The other is the omission of one of the promoters' own two original arguments. These omissions are extremely significant.

The Government Testimony Ignored

While the circular letter makes reference to the Walsh bill hearings of last February and March before the Senate Committee on Irrigation, it fails to refer to, or to notice in any way, that very important part of those same hearings which was printed separately under the designation of Part 4. This, the last of four sections each of which covers a day's hearing, is nothing less than the Interior Department's official reply proving the inability of the proposed dam to accomplish any of its advertised purposes.

The new policy of the offense, then, appears to be to reassert original allegations and say nothing about their demolition, meantime, by the Interior Department.

The success of such a policy under some circumstances is no doubt conceivable. Only three or four members of the Irrigation Committee were present when the Government testimony was given, and only a few hundred copies of the hearing were printed afterward. The first parts, which were wholly devoted to the testimony of the promoters,

were ready first, and many of them were distributed before Part 4 was off the press. Besides, Part 4, being long and largely technical, makes difficult reading. The chances of any considerable number of busy Congressmen, even though they have copies, finding the time to master these hard pages and harder tables, is very small.

It is greatly to be doubted, in fact, whether fifty people, in and out of Congress, appreciate how completely the Interior Department has proved its case against the Walsh bill. Perhaps there are not very many in Congress who even know that the Department had a case to prove.

In order to bring this circular letter impartially into relation with all the facts presented before the Senate Irrigation Committee, we reprint here the several points it makes, and set down opposite each point a brief summary of the Department's testimony bearing upon it.

These summaries may be verified by referring to Superintendent Albright's statement in Part 3 of the published hearings, and especially to all of Part 4. Copies of the drawings, maps, charts and hydrographs accompanying this Government statement may be found in the Interior Department.

The Flood Argument Dropped

But the circular letter also makes apparent a very important change in the offense policy. This is no less than the dropping of the claim that the proposed dam will control, or even affect, the disastrous June floods in the lower Yellowstone Valley.

This claim, it will be recalled, was one of the two great arguments of the promoters. To dam Yellowstone Lake, they declared, while it would not wholly stop the June floods, would control them, thus saving losses that in some years reached a million dollars. By this allegation they sought to gain the active support of the people living in the lower Yellowstone Valley, the sympathetic support of all Montana, and the quick assistance of Congress. They stumped the State on this issue. Politicians took it up. It formed a strong argument, strongly urged, in the February hearings.

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Its complete disappearance, now, in consequence of the Government's proof that high water in Yellowstone Lake does not occur till a month after the lower valley floods, greatly weakens the offense both in Congress and Montana. In the first place, it leaves only half the original argument. In the second place, and more importantly, its withdrawal constitutes a very damaging admission of the visionary, unstudied character of the promotion, and the soundness of the Government's careful, scientific study of the whole situation.

It casts grave doubts (if further doubts were needed) upon the value of the same promoters' other arguments.

Here are the facts concerning the circular letter:

The Circular Letter says:

"1. The bill does not contemplate raising the level of Yellowstone Lake by one foot or one inch, so that no ground will be flooded which is not now covered. Accordingly, no scenic features of the park can be or will be affected in the slightest degree by the 'improvement.'"

"2. No structure is to be erected or installed anywhere within the park except the dam referred to, which would be more appropriately called a regulating weir."

"3. No water will be diverted from the dam anywhere in the park, so that the flow of water over Yellowstone Falls will not be diminished to any extent. Indeed, by reason of the temporary retention of the flood waters, the flow will be greater during the season when the tourist travel is at its height."

The Interior Department Testimony says:

That the level of the lake is proposed to be maintained more or less permanently at the high water mark, which, under natural conditions, it only will hold for a few days each year. This means permanently raising the average level (page 212) several feet, and for long periods six feet (page 21).

This will result in the formation of new and much higher beach lines (pages 223-224). The heavy lake surf whipped up by high winds (pages 104-105) will undermine forested bluffs which now are above the reach of waves except for a few days each year.

The world-famous Fishing Cone (pages 101-102-103) will be permanently submerged to within two or three inches of its top and destroyed as a scenic feature. Several of the most brilliantly colored hot springs in the world (pages 107-108-109) will be submerged under six feet of cold water, destroying them and their color. Molly Island, the prehistoric breeding grounds (pages 104, 105, 113, 114) of the great migratory white pelicans (pages 157 to 161), will be submerged, and the birds may not return to Yellowstone.

That careful scientific analysis of the conditions which would have prevailed had the proposed dam been in existence during the last seven years (28 tourist months) indicates that (pages 226-227) during eleven *twenty-eighths* of the tourists period the dam will lessen the water that passes over the falls; that during *one twenty-eighth* of the tourist period, the flow will remain natural; that during *six twenty-eighths* of the tourist period there will be too little water passing over the falls to admit of regulation; and that during *ten twenty-eighths* of the tourist period there will be an increase

The Circular Letter says:

"4. The dam is to be constructed where now a rickety old unsightly pile bridge, across which the tourists entering at the Cody entrance must pass to reach the chief attractions of the park. The dam, to be of artistic design, will serve also the purpose of a bridge."

"5. The attempt has been made to arouse prejudice against the bill by the assertion that it is a water power scheme. The bill expressly provides that the right to authorize the use of the storage waters for power purposes is reserved to the United States. It was further demonstrated at the hearing that a dam which did not raise the water of the lake above the high level would be useless for power development."

"It is repeatedly asserted that other reservoir sites outside the park are available. The reclamation service reports two possible sites, neither one of which is economically open to consideration."

The Interior Department Testimony says:

in the flow over the falls, but that this increase will all come in late August and early September when nearly all tourists have left or are leaving the park.

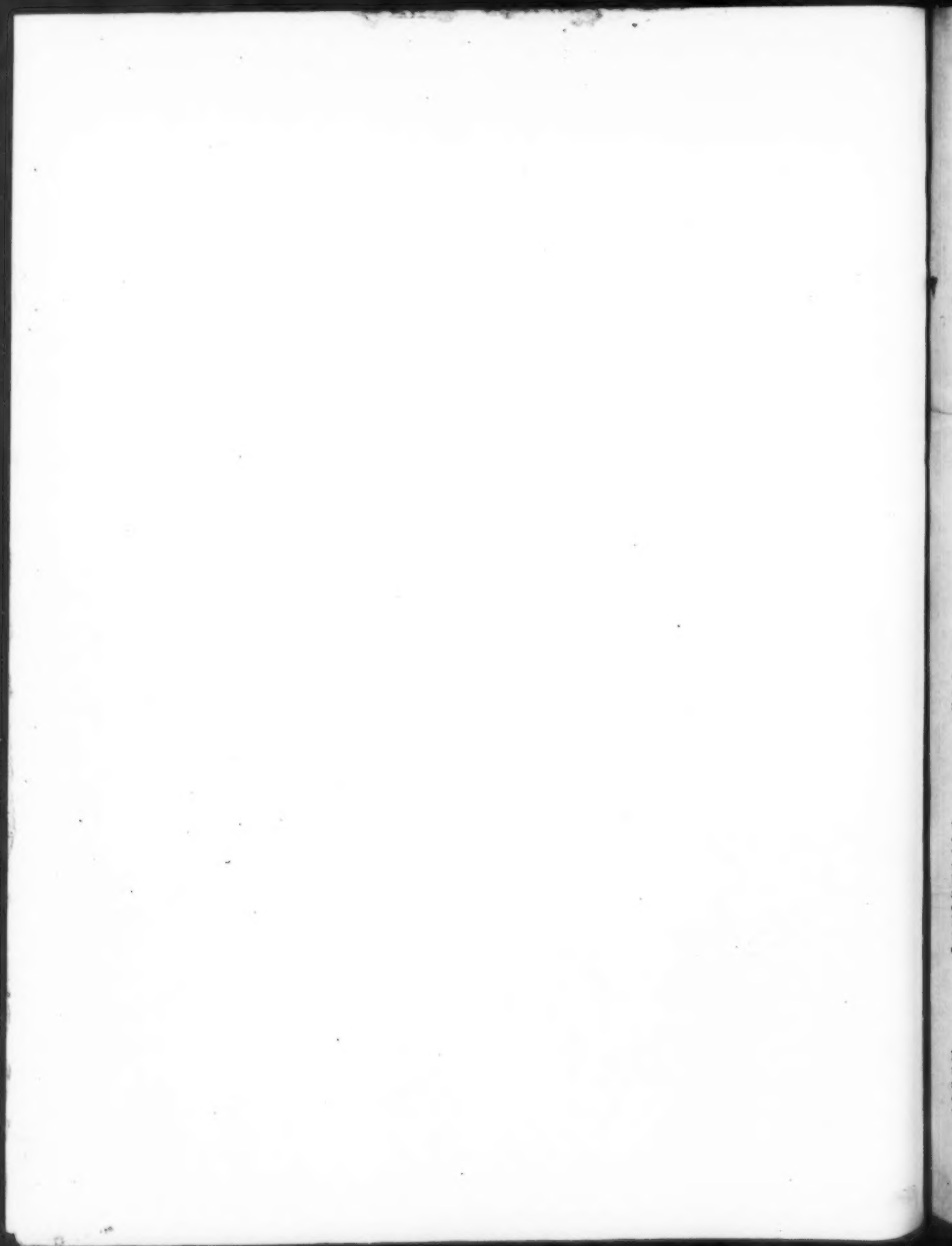
That the dam will destroy the celebrated Fishing Bridge, which is not in the least rickety and is not old in the sense of seeming so. Whether or not it is unsightly depends on the seer. Many think it appropriate for a fishing bridge; certainly it is picturesque. This is probably the only place in the world (pages 109-110-111) where unskilled anglers are practically certain to catch large trout. Often more than 100 persons fish from this bridge at one time. They come from every State.

For a couple of miles at this point the river literally swarms with trout ranging from ten to eighteen inches in length. Scores of boat and shore fishermen are here daily also. All this extraordinary fishing (page 224) will pass when the level is raised.

But the text of the bill (page 3) reads: "The right to authorize the use, for the development of hydro-electric energy, of any of the waters conserved by means of the said dam is hereby reserved to the United States, but any revenues derived from the said reserved use shall accrue to the State of Montana for the benefit of said State or the irrigation district or districts assuming the charge for the construction of the said dam."

As for the height of the dam, Secretary of the Interior Payne told the Irrigation Committee (page 189) that the bill for a six foot dam would soon be followed by a bill asking permission to raise the dam to twenty or twenty-five feet.

That both the United States Reclamation Service and the Montana State Irrigation Commission describe very many greater areas further down the valley (pages 197-198-199-200-201-202) which are more readily available. There are many hundreds of thousands of acres of Montana land for which water is now available (the State Irrigation Commission puts it at 2,266,000 acres) without touching Yellowstone National Park, and in some cases storage works have already been built, but the water not utilized by farmers. There is no special demand for this particular dam. There are practicable dam sites on the Big Horn and other tributaries which would irrigate great areas (pages 213, 214, 215, 216, 217, 218, 219, 220, 221, 222) and which would serve also to help control June floods in the lower valley.



**The Circular Letter
says:**

"Water adequate to the irrigation of 250,000 acres would be conserved by this 'improvement'—"

"without the expenditure of a dollar by the federal government."

"The project is approved by the Governor and State Engineer of the State of Wyoming, within whose bounds the Park is situated, and who assert that its beauties will be in no wise affected. It is endorsed by officials of the Northern Pacific Railway Company, whose road for many years was the only one leading into the Park."

"It is endorsed by the Legislature of the State of Montana, upon the petition of whose citizens and through the official acts of whose representatives the park was created."

**The Interior Department
Testimony says:**

The last report of the Montana State Irrigation Commission (page 111) contains more than a hundred pages concerning the State's immense irrigation possibilities, and dismisses this Yellowstone Lake project in a paragraph as "a promotion in Congress."

That the Yellowstone Lake drainage basin will collect only enough water to irrigate 50,000 new acres (page 232) after keeping the lower river high enough to serve already existing irrigation intakes.

But even this can only be done during summers of average rainfall or better. In two dry years out of seven these 50,000 newly irrigated acres would get no water at all (page 233). In 1915 and 1919, for example, had the proposed dam existed then, the discharge from the lake, even if all the water were impounded and none were permitted to run down the river and over the falls, would have been far below the amount necessary to accomplish the results claimed. In 1915, the total discharge for the storage months would have been 175,000 acre feet short, and, in 1919, 239,600 acre feet short of enough to fill the reservoir (pages 231 to 235).

That the federal government will have to replace roads submerged east of Thumb, at Bridge Bay and at Pelican Creek, to build a new bridge over Pelican Creek, and rebuild Lake Hotel piers and part of the fish hatcheries (pages 105, 106, 107, 212).

That it was an Idaho project, not this one, which the State Engineer of Wyoming "heard talked about in Washington"; that he did not investigate the Walsh project; that Governor Cary's endorsement was influenced by that of his engineer (pages 92-93-119); that the Wyoming press is against the plan (page 92); and that the sentiment of a large majority of the legislators and people of Wyoming is opposed to letting any private concerns enter Yellowstone (page 120).

That the joint memorial was procured from the Montana Legislature on February 5, without investigation, upon the mere statements of the promoters, whereas the Interior Department

**The Circular Letter
says:**

"Every element of private or corporate profit is removed by a provision to the effect that the water can be utilized only by the legally competent water users of irrigation districts, by the sale of whose bonds the money will be raised to carry on the work."

Part 4 must be read through carefully, and its tables studied, to get the full measure of its revelations. In preparing the condensed summaries above of the technical part of the evidence, we had the assistance of Engineer George E. Goodwin, of the National Parks Service, an irrigation expert of wide experience, and formerly an engineer of the U. S. Reclamation service.

Montana States the Principle.

This statement is not to be considered a complete reply to Senator Walsh's circular letter. It is merely an abstract of testimony given in February and March at a surprise hearing, by experts from the Department of the Interior who were allowed very little time for the preparation of their data.

There are many and powerful reasons besides these why this bill will not pass, and not the least of them is the purpose of a great many million Americans that our National Parks shall be preserved untouched.

The principle was ably stated on May 15 last, in the leading editorial of the Bozeman Daily Chronicle, one of Montana's greatest and most influential newspapers.

"Whether or not the granting of the special privilege in this particular case would result in detriment to the beauties of the park," said the Chronicle, "is not to our mind the issue at stake, but rather the fact that the granting of this particular request would form a precedent, and the head of the camel would then be inside the tent and it would be time for the family to move out."

"The Chronicle is unalterably opposed to the granting of any vested rights within the park to any state, corporation, association, or other combination of individuals whatever."

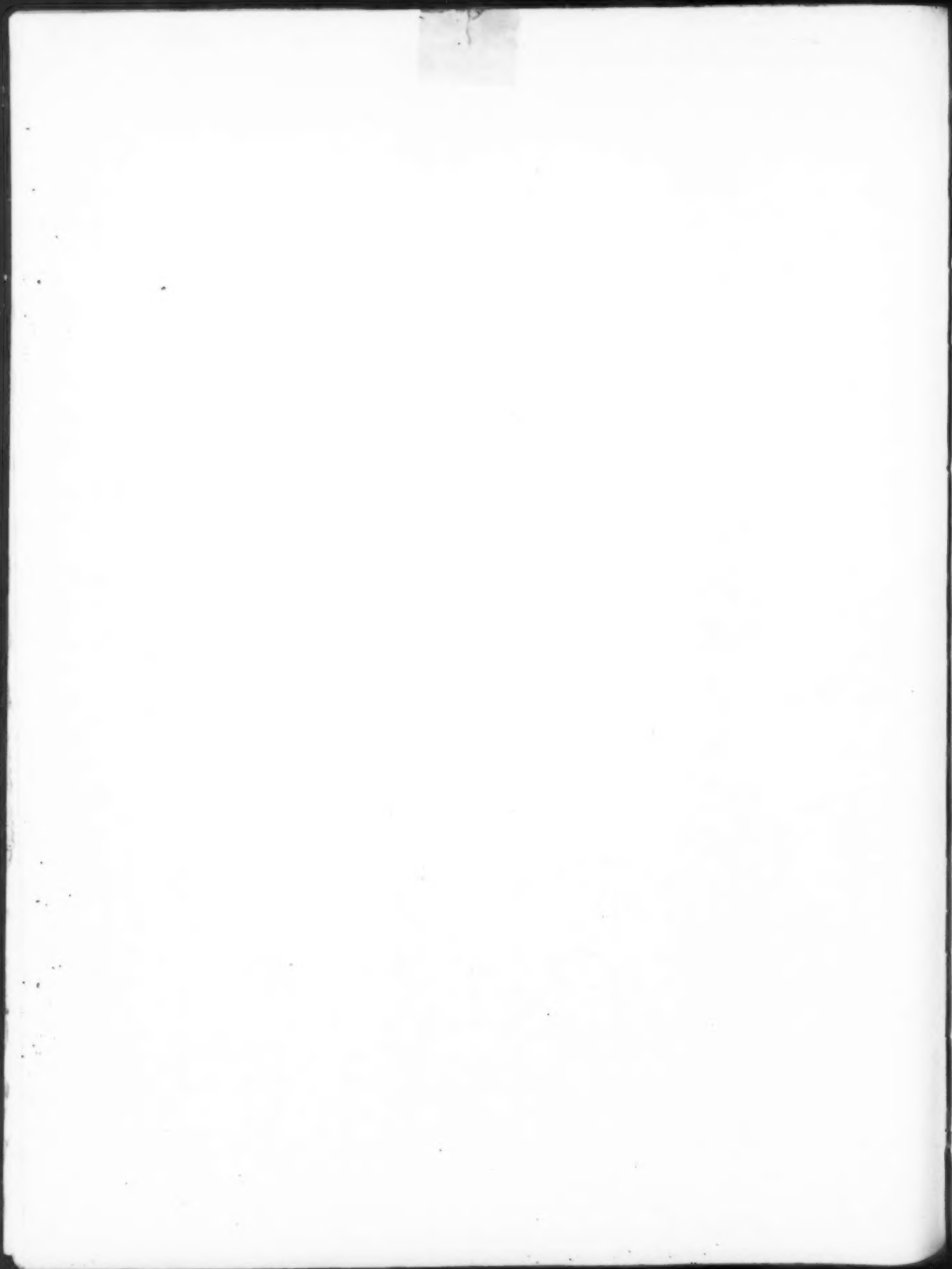
This is the voice of the West.

ROBERT STERLING YARD,
Executive Secretary.

**The Interior Department
Testimony says:**

did not refute these statements until March 1 (page 185). That meantime, without awaiting the Government statement, the Great Falls Chamber of Commerce passed resolutions against the measure, not believing it sound; and that the Butte, Anaconda and other important Chambers refused to commit themselves in its favor. And that the Montana Record-Herald opposed it on economic grounds.

That authority to issue irrigation bonds was defeated at the last election; that most of the lands to be irrigated from this dam are grazing lands, privately owned (page 122). The bill specifies that the "State of Montana," or its deputies, shall build the dam and regulate and control the flow of Yellowstone waters. The Government will have no rights whatever.



SECRETARY FALL OPPOSES THE WALSH BILL

*Interior Department Stands for National Parks Conservation
and Highest Type of Service*

SECRETARY of the Interior Albert B. Fall has reported against the Walsh bill to Senator Charles L. McNary, Chairman of the Irrigation Committee.

His letter, which is the new administration's first official statement of national parks policy, leaves no doubt whatever concerning his attitude in favor of the conservation of the national parks. The text follows:

JUNE 1, 1921.

HON. CHARLES L. McNARY,

*Chairman Committee on Irrigation and Reclamation,
United States Senate.*

MY DEAR SENATOR:

I am in receipt of your request for report upon S. 274 and 275, proposing to authorize the State of Montana, or irrigation districts authorized by the State, to build a dam across Yellowstone River at a point not more than 3 miles below the outlet of Lake Yellowstone, for the regulation of the waters of the lake for irrigation purposes. This construction would be within the limits of the Yellowstone National Park.

I can not favor the enactment of the measure. I do not believe it would be advisable for Congress to permit private interests to develop irrigation or power sites within the limits of existing national parks. These parks were created by Congress for the preservation of the scenery, forests, and other objects of beauty and interest in their natural condition, and they are created and maintained for general and national purposes as contradistinguished from local development.

If cases be found where it is necessary and advisable in the public interest to develop power and irrigation possibilities in national parks, and it can be done without interference with the purposes of their creation, I am of the opinion that it should only be permitted to be done, whether through the use of private or public funds, on specific authorization by Congress, the works to be constructed and controlled by the Federal Government.

Sincerely,

ALBERT B. FALL,

Secretary.

It is probable that few statements issued by the Department of the Interior have brought satisfaction to so many people in so many States as this letter is destined to do. There has been much to indicate that Secretary Fall purposed to safeguard the national parks with as great fidelity as any of his predecessors, but it was natural, nevertheless, during the present feverish period of many assaults upon the integrity of the system, that some millions of conservationists should await with more than interest his definite statement of policy.

Secretary Fall naturally took his good time. To familiarize himself with the complicated detail of the Interior Department was an undertaking of real magnitude, and the national parks had to take their turn. He studied them from every viewpoint possible in the limited time, and we may well conceive that the viewpoints, in these days, have been many; also we may imagine that he has been under some pressure. His report upon the Walsh bill offered a natural occasion for an expression of general national parks

policy. But he expects to make some personal study of the system and to better park management wherever, on investigation, it appears possible to do so.

Highest Type of Appointments

As was natural upon the beginning of a new national administration, a number of demands were made upon Secretary Fall for political appointments in national parks. Three of special importance awaited his action. The superintendency of Glacier National Park was vacant, that of Mesa Verde National Park was expected to be vacated, and the appointment of the first superintendent of Mount McKinley National Park had become possible by an appropriation of the last session.

In all three cases Secretary Fall appointed men suggested because of their special fitness for the places. Not one appointment of any kind in the national parks has been made for political reasons.

Glacier's New Superintendent

The new superintendent of Glacier National Park is J. Ralph Eakins, for seventeen years a topographic engineer in the United States Geological Survey, where much of his recent work has been in charge of field parties in Alaska. His experience in railroad and highway work will be useful in the important road construction planned in Glacier during the next several years.

Superintendent Eakins was with the A. E. F. in France for eighteen months, during which he became Captain and commanded Battery B, Forty-second Artillery. He is a major in the Coast Artillery Reserve.

He succeeds Walter W. Payne, who resigned under charges in June, 1920.

An Archaeologist for Mesa Verde

Jesse L. Nusbaum of Greeley, Colorado, the new superintendent of Mesa Verde National Park, is the man who restored Balcony House, there, several years ago. He was the Superintendent of Construction for the Museum at Santa Fe, and during three summers was Field Assistant to the Bureau of American Ethnology. It was he who designed the well known Indian Village at the San Diego Exposition and superintended its construction.

Dr. Nusbaum is a trained road builder. He worked on the roads in France as a Pioneer Engineer in the A. E. F. during the great war.

A Mountain Climber for Mount McKinley

Secretary Fall was very fortunate in securing the consent of Harry P. Karstens to become the first superintendent of Mount McKinley National Park. The reservation is 2,200 square miles in area, and the task of protecting its enormous herds of caribou, mountain sheep and other wild animals from hunters is becoming more difficult with every mile of approach of the new railroad.

Karstens is a pioneer of the wilderness, and one of Alaska's best known men. It was he who accompanied Archbishop Stueck to the summit of Mount McKinley in 1912, an undertaking which has established his fame for all time among Alpine climbers.

He is now building his house in the wilds and collecting his dog teams in preparation for beginning his strenuous duties on July 1.

